



Important Numbers to Remember with Rental Agreements

Release Date: March 9, 2011

Contact: Brock Bergey, 608-224-5007

MADISON – More than 1.5 million Wisconsin residents live in rental housing. With thousands of rentals occurring throughout the state – every year – the Department of Agriculture, Trade and Consumer Protection encourages tenants and landlords to learn and understand the basics of rental agreements.

“Contrary to popular belief, rental agreements do not have to be in writing,” said Sandy Chalmers, Administrator of the Division of Trade and Consumer Protection. “However, when in writing, landlords must let tenants read the agreement before renting a property. State law also requires landlords to provide tenants with a copy of the rental agreement.”

Wisconsin laws relating to rental housing include plenty of numbers – in the form of time frames. All these numbers generate plenty of questions to Consumer Protection from both tenants and landlords. In an effort to educate both parties, here is a break down of important numbers to remember.

12 HOURS

- Landlords must give tenants at least 12 hours notice before entering the rental property. That time frame can be shorter if the tenant gives the OK, or in an emergency situation.

5 DAYS

- Tenants renting by the month – who pay a portion of the rent, no rent, or late rent – may be issued a 5 day written notice from their landlord to either pay the appropriate rent or move out within those 5 days. If the tenant pays, the tenancy continues.
- Tenants in a yearly lease – who fail to pay rent, break the rental agreement, or cause property damage – may be issued a 5 day written notice from their landlord. If the tenant pays the rent within 5 days, the tenancy continues; if not, the tenant has to vacate.

7 DAYS

- Tenants who pay a security deposit have 7 days from the start-date of the rental agreement to inspect the property for previous damages. Tenants should provide a written list of damages to their landlords, and keep a copy of the list for their personal records. Photos are also recommended.

14 DAYS

- Month-to-month tenants – who fail to pay the rent, break the rental agreement, or cause damage to the property – can be given a 14 day written notice to leave the property. This notice does not allow the tenant to continue tenancy even if past-due payments are made.
- Tenants in a yearly lease – who previously have been given a 5 day written warning, and who fail to pay the rent again within the remaining time in the lease – may be issued a 14 day termination notice.

15 to 30 DAYS

- Tenants with a yearly lease must be reminded at least 15 to 30 days in advance of the landlord automatically renewing or extending the lease.

21 DAYS

- Landlords must return security deposits within 21 days after the date of the tenants’ move-out. The landlord may deduct for unpaid rent or damages caused during the tenancy. Deductions can also be made for unpaid utility bills. If there are deductions from the security deposit, the landlord must provide the tenant with a written statement, itemizing the amounts withheld. Landlords can not deduct for routine, across-the-board cleaning, unless it is considered abuse, waste, or neglect.

28 DAYS

- Landlords may raise the rent of a month-to-month tenant by giving a written notice at least 28 days before the next rent due-date. There is no state law limiting the amount of a rent increase.
- Landlords may also terminate a monthly lease by giving a written notice at least 28 days before the next rent due-date. Tenants must follow the same 28 day timeframe when terminating a month-to-month agreement.

“All of these important numbers are included in a booklet called *The Wisconsin Way*,” added Chalmers. “This DATCP-produced resource explains the rights and responsibilities of Wisconsin tenants and landlords, and is available to the public at no cost on our website.”

For additional information about landlord/tenant issues check out these online consumer resources:

<http://datcp.wi.gov/uploads/Consumer/pdf/TenantsRights143.pdf>

<http://datcp.wi.gov/uploads/Consumer/pdf/LT-DontRentTrouble142.pdf>

<http://datcp.wi.gov/uploads/Consumer/pdf/WisconsinWayWEB.pdf>

Thursday’s “National Consumer Protection Week” topic is Telecommunications.

For more consumer information, or to file a consumer complaint, visit the Bureau of Consumer Protection's website at datcp.wisconsin.gov; via e-mail at datcp hotline@wisconsin.gov or call toll-free at 1-800-422-7128.

###